

**16330. Adulteration of dressed chickens. U. S. v. 7 Barrels of Dressed Chickens. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23000. I. S. No. 01940. S. No. 1087.)**

On August 18, 1928, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 7 barrels of dressed chickens, remaining in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped by R. E. Cobb (Co.), from St. Paul, Minn., July 18, 1928, and transported from the State of Minnesota into the State of Illinois, and charging adulteration in violation of the food and drugs act.

It was alleged in substance in the libel that the article was adulterated in that it consisted in part of a filthy, decomposed, and putrid substance, in that a portion of the said chickens were emaciated, a portion were green, the infected area extending into the flesh, a portion showed indications of incipient decomposition, and a portion having been insufficiently bled.

On March 19, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16331. Misbranding of grapes. U. S. v. Peppers Fruit Co. Plea of guilty. Fine, \$20. (F. & D. No. 22525. I. S. No. 12660-x.)**

On February 14, 1928, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Peppers Fruit Co., a corporation, Los Angeles, Calif., trading at Loomis, Calif., alleging shipment by said company, in violation of the food and drugs act as amended, on or about October 27, 1926, from the State of California into the State of Colorado, of a quantity of grapes which were misbranded.

It was alleged in the information that the article was misbranded in that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On December 14, 1928, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$20.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16332. Adulteration of grapefruit and oranges. U. S. v. Fruit Distributors (Inc.) Plea of guilty. Fine, \$100. (F. & D. No. 22550. I. S. Nos. 3520-x, 7514-x, 10729-x, 11577-x, 12485-x, 12490-x, 13310-x, 13311-x, 15551-x, 15660-x, 15876-x, 16203-x.)**

On June 30, 1928, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Fruit Distributors (Inc.), a corporation, trading at Jacksonville, Fla., alleging shipment by said company, in violation of the food and drugs act, between the dates of February 17, 1927, and March 16, 1927, from the State of Florida into the States of Minnesota, Arkansas, Texas, Ohio, Oregon, Kentucky, Maryland, and Georgia, respectively, of quantities of grapefruit and oranges which were adulterated.

It was alleged in the information that the articles were adulterated in that excessively dry fruit had been substituted for grapefruit or oranges, as the case might be, and in that the articles consisted in whole and in part of decomposed vegetable substances.

On December 6, 1928, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16333. Adulteration of canned sardines. U. S. v. 6 Cases of Sardines. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23013. I. S. No. 02843. S. No. 1101.)**

On August 23, 1928, the United States attorney for the Northern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 6 cases of sardines at Albany, N. Y., alleging that the article had been shipped by H. F. Sawyer & Son, Vinalhaven, Me., June 28, 1928, and transported from the State of Maine into the State of New York, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Three Star Brand \* \* \* Sardines, \* \* \* packed by H. F. Sawyer & Son Vinalhaven Maine"

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a filthy, decomposed, or putrid animal substance.

On September 26, 1928, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16334. Adulteration of ice cream cones. U. S. v. 31000 Ice Cream Cones. Default decree of destruction entered. (F. & D. No. 21294. I. S. Nos. 3382-x, 3383-x. S. No. C-5237.)**

On September 17, 1926, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 31,000 ice cream cones, remaining in the original unbroken packages at Minneapolis, Minn., alleging that the article had been shipped by the Central Cone Co., from Chicago, Ill., August 7, 1926, and transported from the State of Illinois into the State of Minnesota, and charging adulteration in violation of the food and drugs act. A portion of the article was labeled in part: (Cartons) "250 Marvel Sugar Egg Cones \* \* \* Manufactured by Central Cone Co., Inc., Chicago." The remainder of the said article was labeled in part: (Cartons) "250 Cenco Cones Sugar Cake Ice Cream Cones \* \* \* From Central Cone Co. Chicago."

It was alleged in the libel that the article was adulterated in that a substance, saccharin, had been mixed and packed therewith so as to reduce, lower, or injuriously affect its quality and strength, and had been substituted wholly or in part for the said article. Adulteration was alleged for the further reason that the article contained an added poisonous ingredient, saccharin, which might have rendered it injurious to health.

On March 7, 1929, no claimant having appeared for the property, judgment of the court was entered ordering that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**16335. Adulteration and misbranding of feed. U. S. v. Atlantic Milling Co. Plea of guilty. Fine, \$50. (F. & D. No. 19674. I. S. No. 16626-v.)**

On October 25, 1925, the United States attorney for the Southern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Atlantic Milling Co., a corporation, Augusta, Ga., alleging shipment by said company, in violation of the food and drugs act, on or about January 6, 1925, from the State of Georgia into the State of North Carolina, of a quantity of feed which was adulterated and misbranded. The article was labeled in part: (Tag) "Amco Horse and Mule Feed Manufactured By Atlantic Milling Company, Augusta, Ga."

It was alleged in the information that the article was adulterated in that a product composed in part of undeclared peanut hulls and which contained no oats had been substituted for the said article.

Misbranding was alleged for the reason that the statements, to wit, "Guaranteed Analysis, Protein 10%, Fat 2% \* \* \* Fibre 15%, Ingredients: Corn, Oats, Alfalfa Meal, Oat Mill by-product, Molasses, ½ to 1% Salt," borne on the tags attached to the sacks containing the article, were false and misleading in that the said statements represented that the article contained not less than 10 per cent of protein, not less than 2 per cent of fat, and not more than 15 per cent of fiber, and consisted wholly of corn, oats, alfalfa meal, oat mill by-product, molasses, and one-half to 1 per cent of salt, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than 10 per cent of protein, not less than 2 per cent of fat, and not more than 15 per cent of fiber and consisted wholly of corn, oats, alfalfa meal, oat mill by-product, molasses, and one-half to 1 per cent of salt, whereas the said article contained less protein and fat and more fiber than declared, to wit, approximately 7.81 per cent of protein, 1.91 per cent of fat, and 18.97 per cent of fiber, and did not consist wholly of the declared ingredients, but did consist in part of peanut hulls and contained no oats.

On March 19, 1929, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50.

ARTHUR M. HYDE, *Secretary of Agriculture.*